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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/555,092

11/02/2005

Daisuke Kanenari

OGW-0398

9356

7590 09/19/2008
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EXAMINER

KNABLE, GEOFFREY L

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

09/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/555,092	Applicant(s) KANENARI, DAISUKE	
	Examiner Geoffrey L. Knable	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-4 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaido et al. (US 5,938,869) taken in view of at least one of [Martin et al. (US 4,261,786) and Klose et al. (US 5,135,601)].

Kaido et al. is applied for the same reasons as set forth in the last office action. With respect to the new claim requirement for storing the rolled bodies and mounting the stored bodies on unwinding units at feeding positions for feeding to the tire building machine, as noted in the last office action, Kaido et al. suggests that the cylindrical film may be wound up on a roll and later supplied to drum when needed for building the green tire. Specifics of the storage or supply at the drum are not provided.

Martin et al. (esp. col. 1, lines 10-25 ; 63-66) provides evidence that it is well known to the artisan that the various tire components used in building tires are stored in rolls for later delivery to a tire servicer for unwinding and applying to the drum in building the tire. This includes the storage of different types and sizes of materials for building different tire sizes (as well as mounting plural unwinding units at the tire building machine at the same time although the claims do not clearly require this). Similarly, Klose et al. (esp. col. 5, lines 1-11) provide evidence of the well known supplying of stock rolls to servicers for unwinding of the components and application to the drum, the particular stock rolls being changed as needed to supply the desired component type/size. In view of these teachings and in order to provide for building of different size tires, it would have been obvious to the ordinary artisan to store the various size

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components in the rolls and supply the necessary component rolls to servicers, where the component would be unwound and applied to the tire building machine. Only the expected and predictable results would have been achieved. A method as claimed would therefore have been obvious.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaido et al. (US 5,938,869) taken in view of at least one of [Martin et al. (US 4,261,786) and Klose et al. (US 5,135,601)] as applied above, and further in view of at least one of [Hashimura et al. (US 2002/0033557) and Kaido et al. (US 6,136,123)] and optionally further in view of JP 2002-103471 to Bridgestone as applied in the last office action.

4. Applicant's arguments filed 6/24/2008 have been fully considered but they are not persuasive and are mostly moot in view of the new grounds of rejection necessitated by the amendments to the claims.

The arguments stress the unwinding of rolls of different diameter stock, it being argued that Kaido '869 cannot switch between rolls of different sizes during production without changing the existing rolled body to a different nominal diameter. This argument has been considered but is unpersuasive (and is again mostly moot in view of the newly cited prior art). Further, it is noted that the claims at present do not even clearly require that the different rolled bodies are all mounted at the same time, contrary to what appears to be argued. In other words, the claims at present seem to read on simply exchanging one roll with another at the unwinding unit (in such case, each stored rolled body would still be mounted on an unwinding unit at its feeding position for feeding the component to the tire building machine). Further, in view of the newly cited

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prior art, it is clear that the ordinary artisan understands it to be typical and obvious to mount different stock rolls as needed at a tire servicer for supply of the desired size/type of component to the drum to build the desired size of tire. Thus, again, in view of these teachings and in order to provide for building of different size tires, it would have been obvious to the ordinary artisan to store the various size components in the rolls and supply the necessary component rolls to servicers, where the component would be unwound and applied to the tire building machine. Only the expected and predictable results would have been achieved.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey L. Knable whose telephone number is 571-272-1220. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Geoffrey L. Knable/
Primary Examiner, Art Unit 1791

G. Knable
September 14, 2008